



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Set Public Hearing for October 16, 1991 Regarding the Unified School District 1991 Declaration of Impaction

MEETING DATE: October 2, 1991

PREPARED BY: City Clerk

RECOMMENDED ACTION: Set public hearing for October 16, 1991 regarding the Unified School District 1991 Declaration of Impaction.

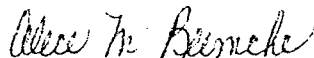
BACKGROUND INFORMATION: Attached, marked Exhibit A, is information received from the Lodi Unified School District regarding the Declaration of Impacted School Attendance Areas for the 1991-92 year.

Section 15.48.150 of the Lodi Municipal Code entitled, "Designation of Overcrowded School" sets forth that **upon** receipt of a notice **as** described in Section 15.48.130, the City Council shall schedule and conduct a public hearing on the notification for the purpose of allowing interested parties to **comment** on the matter.

Following such hearing the City Council shall determine whether **it** concurs with such findings. If the City Council concurs, it shall **by** resolution designate the school as an overcrowded school.

It is therefore recommended that the matter be set for public hearing at the regular City Council meeting of October 16, 1991.

FUNDING: None required.


Alice M. Reimche
City Clerk

AMR/jmp

Attachment

APPROVED: 

THOMAS A. PETERSON
City Manager





Lodi Unified School District

FACILITY PLANNING DEPARTMENT
1300 West Lodi Avenue, Suite S, Lodi, California 95242
Mailing Address: 815 West Lockeford Street, Lodi, California 95240

SEP 06 '91

September 4, 1991

City Manager's Office

Mr. Tom Peterson
City Manager
City of Lodi
221 West Pine Street
Lodi, CA 95240

Re: 1991 Declaration of Impaction (SB 201 Developer Fee - Old Bedroom Tax)

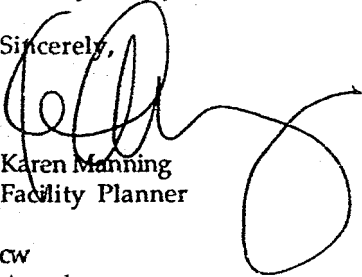
Dear Mr. Peterson:

Transmitted herewith is a copy of Resolution 91-98 "Declaring impacted School Attendance Areas" for the 1991-92 year. The District respectfully requests that the City of Lodi adopt a resolution declaring continued impaction in the Lodi Unified School District and continuance of Ordinance No. 1149.

The District intends to continue collection of Developer Fees for schools under the provisions of AB 2926; however, the District requests that the City of Lodi's authority to collect the "old fee" (SB 201) be retained in the event the District or City of Lodi are precluded from collecting the "new fee." Approval of the annual resolution will maintain the "status quo" and result in no increased fees or changes in procedure.

Thank you for your consideration.

Sincerely,


Karen Manning
Facility Planner

cw
Attachment

cc: Jim Schroeder, Director of Community Development
Dixon Flynn, Finance Director

*agenda item
not communication*

BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL
DISTRICT OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

RESOLUTION 91-98

DECLARING CONTINUED CONDITIONS OF OVERCROWDING

WHEREAS, the Lodi Unified School District will have 5,027 "unhoused" students by State definition in the 1991-92 school year; and

WHEREAS, a formal request to each local agency is required annually in order to continue the ordinances permitting collection of developer fees pursuant to SB 201; and

WHEREAS, such a continuance of authority is in the best interest of the District and the students and communities it serves.

NOW, THEREFORE, BE IT RESOLVED that the District hereby requests that the City of Lodi, the City of Stockton, and the County of San Joaquin adopt resolutions declaring the following attendance areas within the Lodi Unified School District as overcrowded for the purpose of maintaining the previously adopted developer fee ordinances pursuant to SB 201.


BE IT FURTHER RESOLVED, that the District will not request the cities or county to collect developer fees under the provisions of ordinances pursuant to SB 201 unless the District is prohibited from collecting directly under the provisions of current statutes commencing with AB 2926.

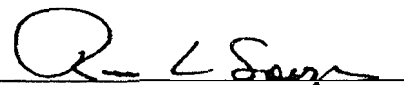
PASSED AND ADOPTED this 3rd day of September, 1991, by the following vote of the Board of Trustees of the Lodi Unified School District, to wit:

AYES: Johnston, Souza, Heberle, Suess, Ball, Davis

NOES: None

ABSENT: Lynch


Ann Johnston, Clerk of the
Board of Trustees


Rick Souza, President of the
Board of Trustees

DECLARATION OF MAILING

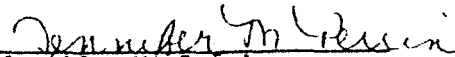
On October 3, 1991 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily-communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 3, 1991, at Lodi, California.

Alice M. Reimche
City Clerk



Jennifer M. Perrin
Deputy City Clerk

DEC/01
TXTA. FRM



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: October 16, 1991

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Alice M. Reimche
City Clerk
Telephone: 333-6702

NOTICE OF PUBLIC HEARING

October 16, 1991

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) **The Lodi Unified School District 1991 Declaration of Impaction**

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche
City Clerk

Dated: October 2, 1991

Approved as to form:

E. W. McNatt

City Attorney

PUBLIC HEARING REGARDING
LODI UNIFIED SCHOOL DISTRICT
1991 DECLARATION OF IMPACT
MAILING LIST
EXHIBIT B

Karen Manning
Facility Planner
Lodi Unified School District
1300 W. Lodi Avenue, Suite S
Lodi, CA 95242